

# Voice | Data | Internet | Wireless | Entertainment

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September 21, 2007

Mr. Charles Terreni, Chief Clerk South Carolina Public Service Commission 101 Executive Center Drive Synergy Business Center Columbia, SC 29210

Dear Mr. Terreni:

Enclosed for filing are an original and two copies of revised pages for the United Telephone Company of the Carolinas' General Subscriber Services Tariff. These revisions are submitted with a September 21, 2007 issue date and a proposed effective date of October 15, 2007. Embarg's tariffs are available on its website at www.embarg.com/tariffs.

The tariff pages enclosed for review and approval are as follows:

Section 2

General Regulations

Seventh Revised Page 19

This filing introduces Recovery of Costs - Business language.

Acknowledgement and date of receipt of this filing are requested.

Commission consideration and timely approval of these pages are respectfully requested. Upon approval, please return one stamped approved copy of this filing for our records. If you have questions or need additional information regarding this filing, you may call me or Cheryl Sweitzer at (919) 554-7135.

Sincerely,

LuVon Richardson State Tariff Analyst

Attachments

CC:

Ed Phillips

Cheryl Sweitzer

War Richard

**Dukes Scott** 

SC 07-40

#### GENERAL SUBSCRIBER SERVICES TARIFF

UNITED TELEPHONE COMPANY
OF THE CAROLINAS

Seventh Revised Page 19 Cancels Sixth Revised Page 19

ISSUED: September 21, 2007

EFFECTIVE: October 15, 2007

#### U2. GENERAL REGULATIONS

## U2.4 PAYMENT ARRANGEMENTS AND CREDIT ALLOWANCES (Cont'd)

# U2.4.5 PROVISION FOR CERTAIN LOCAL TAXES AND FEES

If a municipality or political subdivision collects or receives any payment or payments or any telephone service without charge or at reduced rates from the Company for or by reason of the use of the streets, alleys or public places of a municipality or political subdivision of, for or by reason of the operation of the Company's business or any portion or phase thereof in the municipality or political subdivision or by reason of an agreement between the municipality or political subdivision and the Company, whether such payments or such service be called a license, occupational, privilege, franchise or inspection tax or fee or otherwise, or whether in a lump sum, or at a flat rate, or based on receipts, or based on poles, wires, conduits, or other facilities or otherwise, the aggregate amount of such payments and such service will be billed, insofar as practical, pro rata to the exchange customers within such municipality or political subdivision, provided, however, the foregoing shall not apply to any such payment or payments or to any such telephone service without charge or at reduced rates during the term of any agreement or arrangement now in effect.

## U2.4.6 RECOVERY OF COLLECTION COSTS-BUSINESS

Any Customer subscribing to Business services under this tariff (a "Business Customer") is responsible for all collections costs, including but not limited to attorney's fees, incurred by the Company in recovering any amounts due and owing to the Company by the Business Customer. In the event of the Business Customer's bankruptcy, the Company may assert its claim for collections costs and attorneys' fees under this tariff as a claim against the Business Customer's bankruptcy estate.

### U2.5 LIABILITY OF THE COMPANY

### U2.5.1 SERVICE IRREGULARITIES AND DAMAGES

The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors in defects in transmission or failures or defects in facilities furnished by the Company, occurring in the course of furnishing service or other facilities and not caused by the negligence of the subscriber, or of the Company in failing to maintain proper standards of maintenance and operation and to exercise reasonable supervision shall in no event exceed an amount equivalent to the proportionate charge to the subscriber for the period of service during which such mistake, omission, interruption, delay, error or defect in transmission or defect or failure in facilities occurs.

The Company will not be liable for any consequential, incidental or indirect damages for any cause of action, whether in contract or tort. Consequential, incidental, and indirect damages include, but are not limited to, lost profits, lost revenues, and loss of business opportunity, whether or not the Company was aware or should have been aware of the possibility of these damages.

### U2.5.2 USE OF FACILITIES OF OTHER CONNECTING CARRIERS

When facilities of others are used in establishing connections to points not reached by this Company's facilities, the Company is not liable for any act or omission of others furnishing such facilities.

(N)

(N)